

REMARKS

The Examiner is requiring restriction to one of the following Groups:

Group I: Claims 1-4, 6-17 drawn to resin composition;

Group II: Claim 18 drawn to some articles prepared from the resin composition;

Group III: Claims 19-22 drawn to a method for producing the resin; and

Group IV: Claims 23-25 drawn to a method for using the resin of Group I.

Applicants provisionally elect with traverse Group I (Claims 1-4, 6-17) drawn to resin composition.

Restriction is only proper if the claims of the restricted groups are independent or patentably distinct and there would be a serious burden placed on the Examiner if restriction is not required (MPEP 803).

The burden of proof is on the Examiner to provide reason and/or examples to support any conclusions that the claims of the restricted groups are patentably distinct. Restriction between a product and a process for its production is proper when the product can be produced by another method. Applicants respectfully traverse the restriction requirement on the grounds that the Examiner has not provided sufficient reason or examples to support patentable distinctness. Final product and method of making said product and the use of the product thereof are interdependent and should be examined together on the merits, especially wherein the sole disclosed utility of the product is that recited in the composition claims. Different classification of subject matter to be divided is not conclusive proof of independent status and divisibility.

Applicants respectfully traverse on the additional grounds that the Office has not shown that a burden exists in searching the entire application.

Further, the MPEP 803 states as follows:

“If the search and examination of an entire application can be made without a serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct and independent inventions.”

Applicants submit that a search of all the claims would not constitute a serious burden on the Office.

The claims of Group I-IV are integrally linked. In the instant application Claims 1-4, 6-17 are directed to a composition produced by the process claims of Group III (Claims 19-22) and said product is used to make the articles of Group II (Claim 18) and the method of using the product of Group IV (Claims 23-25). All of the claims are linked together by sharing a common feature. Hence, all of the claims should be examined along with the elected invention. MPEP 803.

For the reasons set forth above, Applicants request that the Requirement for Restriction be withdrawn.

Applicants request that if the invention of Group I is found allowable, withdrawn Groups II-IV (which include the limitations of the allowable claims) be rejoined.

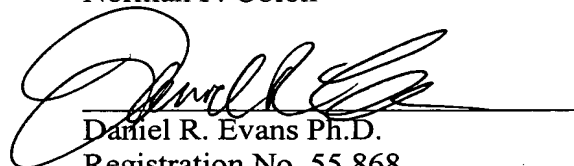
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